

CITY COUNCIL
PLANNING AND COMMUNITY DEVELOPMENT
COMMITTEE MINUTES
February 12, 2010

The City Council Planning and Community Development Committee of the City of Norman, Cleveland County, State of Oklahoma, met at 8:00 a.m. in the Conference Room on the 12th day of February, 2010, and notice and agenda of the meeting were posted in the Municipal Building at 201 West Gray and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

PRESENT: Councilmembers Atkins, Cubberley, and Chairman Butler

ABSENT: Councilmember Griffith

OTHERS PRESENT: Mayor Cindy Rosenthal
Mr. Jeff Bryant, City Attorney
Ms. Karla Chapman, Administrative Technician III
Ms. Susan Connors, Planning and Community
Development Director
Mr. Patrick Copeland, Development Services Manager
Mr. Ken Danner, Development Manager
Mr. Doug Koscinski, Current Planning Manager
Mr. Steve Lewis, City Manager
Mr. Shawn O'Leary, Director of Public Works
Ms. Debra Smith, Environmental Services Coordinator
Mr. Tom Knotts, Planning Commission Liaison

STATUS REPORTS FROM STAFF ON THE FOLLOWING ONGOING PROJECTS: COMMERCIAL LIGHTING STANDARDS, DRAFT GREENBELT ORDINANCE, AND DRAFT MIXED USE ORDINANCE.

COMMERCIAL LIGHTING STANDARDS

Ms. Susan Connors, Planning and Community Development Director, said the Committee discussed and reviewed three articles dealing with various aspects of commercial lighting at the January 8, 2010, Planning and Community Development Committee (PCDC) meeting. She said Staff forwarded those articles to the Planning Commission (PC) and requested the PC work with Staff to prepare an ordinance for commercial lighting that dealt with the lighting issues. Ms. Connors said the PC discussed various elements that should be included in a lighting ordinance at their February 4, 2010, meeting, and indicated a preference for a more simple ordinance that included practical standards which would be easy to administer and monitor.

Ms. Connors said Staff will prepare a draft ordinance for PC review at their regularly scheduled meeting on March 11, 2010. She said Staff's intent is to tweak the current standards and regulations in the lighting ordinance and make them more clear and enforceable. Mr. Steve Lewis, City Manager, asked what public participation is expected and Ms. Connors said Staff can present the draft ordinance to the development community, at a future public meeting, to gain their input. Councilmember Atkins suggested including Fire and Police since lighting is a safety and security issue. Mayor Rosenthal suggested Staff present the draft ordinance to the Environmental Control Advisory Board (ECAB) for their input once the PC review the ordinance and the Committee agreed.

GREENBELT ORDINANCE

Ms. Connors said the Greenbelt Commission (GC) held a public meeting on January 25, 2010, to gain public input for the draft greenbelt ordinance. She said several PC members attended the public meeting and asked how the GC and PC could work more efficiently together and which advisory board would have the final say in the decision making process. In the past the GC would forward comments to the PC, the PC could incorporate the comments into their decision before going forward to Council, and Staff envisioned this step returning to the process. Ms. Connors said the development community has many concerns about the process including details of the ordinance and felt the GC had not considered their concerns when drafting the ordinance. She said several citizens spoke in favor of a greenbelt ordinance, protecting green space, and protecting and creating trail systems in the

City. Ms. Connors said the GC chair and vice-chair met with Planning and Legal Staff to discuss the public comments and possible changes to the draft ordinance. The GC requested Staff amend the draft ordinance to incorporate comments and concerns received from Staff, developers, citizens, and the GC and consider possible conflicts with existing City ordinances. Ms. Connors said Staff will meet with the GC chair and vice-chair on February 11, 2010, and present a draft ordinance to the GC on March 22, 2010. She said the GC has requested a future Council Study Session to discuss and review the revised ordinance.

Mr. Jeff Bryant, City Attorney, said the ordinance will need to mesh with existing City ordinances and Staff will look at surrounding cities to see how they approach greenbelt ordinances. Mayor Rosenthal felt it was important to the development community, as well as others in support of the GC, to get the enhancement statements back into the process and Councilmember Butler agreed. Mr. Bryant said some of difficulty with the enhancement statement is there are no standards defined in the ordinance by which to measure the GC's comments. Councilmember Butler felt standards were not needed because they are not regulating anything, simply making recommendations to the PC and Council. She suggested it could be similar to the Parks Board process and Mayor Rosenthal supported this notion. Mayor Rosenthal said this is a tricky situation because if standards are brought forward, the development community may view it as another regulatory step, and felt it was not appropriate to ask the GC to produce a standard recommendation that will be objected in the end by Council. She felt the goal is the expertise brought forth by the GC and the valuable knowledge they offer to the PC and Council. Councilmember Butler felt the GC did not have to decide any criterion that has to do with greenbelt corridors that also function as storm water areas because those will be addressed during the storm water process.

Mr. Tom Knotts, PC Liaison to the Council Planning Commission, felt there was a lack of process and said it is unclear as to when the GC will meet with the development community. Councilmember Butler said the process should be better defined and wondered whether the GC should meet with the development community early or later in the process. Councilmember Cubberley said if the GC met early in the process, during pre-development, their comments may be a concept without any substance. He said once the development community brings a request for PC approval, it could be totally different from the initial application; therefore, making the validity of the GC input questionable. Councilmember Cubberley said the GC's input needs to be close enough to the PC process of considering the developer's application for it to be effective, but at the same time be flexible enough to allow the developers to incorporate the comments provided by the GC. Councilmember Butler suggested having the GC's considerations on paper for the developers to consider in the beginning of the process, but Mr. Knotts said if considerations are put in writing the developers may look at it as another approval step in the process. Councilmember Cubberley said the developers would not need to get approval from the GC; it would be comments rather than strict criteria to assist the development community. He said if and when a greenbelt/greenway trails plan is adopted, the GC will review any future proposed development against the approved plan and just because a proposed development may not fit squarely within the greenbelt plan does not mean it should not be considered or approved by the PC.

Councilmember Atkins understood Mr. Knotts position on the PC, because while he served on the PC if items came forward with GC comments, the PC was not familiar with the existing ordinance or standard relating to greenbelt issues. Mayor Rosenthal suggested the GC consider whether the required open space in developments is significant open space and whether it advanced other goals such as connectivity and/or assisted with other functions, i.e., streams. Councilmember Cubberley suggested the GC look at various aspects of greenways/greenbelts and comment on those aspects, not having a pass or fail score, but whether it advances a variety of goals.

Mr. Knotts asked if the GC was a commission or an advisory board and Councilmember Cubberley said it is an advisory board, even though it is called a commission. Mr. Bryant suggested Staff clarify what the GC's role is, advisory versus regulatory and said one of the GC's goals is to offer valuable comment(s) and not let standards get in the way. Mayor Rosenthal suggested a two step process; a required formal GC review when there is a plat or plan, but also encourage developers to meet early with GC when developing their plans for GC input and advice. She said it should be noted the early informal meeting is not a requirement, but an encouragement and the Committee agreed. Councilmember Cubberley suggested the GC formal meeting be scheduled a week to ten days before the PC met. Ms. Connors said Staff will adjust the GC and PC meetings if necessary, so both can perform and work together more successfully. Mayor Rosenthal suggested Staff prepare a flow chart reflecting the old

greenbelt process, include the greenbelt enhancement statement, and a timeline for the greenbelt comment process. Ms. Connors asked for input as to the Committee's expectation for the GC in reviewing and preparing the Greenway Master Plan (GMP) for Council's consideration and Councilmember Butler felt it should be in parallel to what has been discussed today in reference to the greenbelt enhancement statements. Mayor Rosenthal felt language needed to be added to the GMP that establishes the goals and expectations and/or reaffirms the purpose of the original greenbelt ordinance and what is trying to be accomplished. Ms. Connors said the GC will refine the consultant's recommendations on the GMP and should have the Plan ready for Council's consideration in April or May. She said Staff will prepare a flowchart and timeline for GC review in their March 22, 2010, meeting and request the GC begin working on comments for the GMP.

MIXED USE ORDINANCE

Ms. Connors said a Joint City Council/Planning Commission Study Session was held June 2, 2009, and Staff presented a charge to the PC to prepare a mixed use ordinance. She said the PC held a meeting July 9, 2009, and continued to work through the summer. She said a draft ordinance was discussed at a PC meeting on October 22, 2009, and Staff shared the draft ordinance with the Planning and Community Development Committee (PCDC) on November 13, 2009. Ms. Connors said the draft ordinance was brought to Council in early December and shared with the Developer's Council on December 3, 2009.

PC had a public meeting, after their regularly scheduled meeting, on February 11, 2010, to request and consider any recommendations based on public comment. She said Mr. Harold Heiple, Attorney, was the only citizen who spoke on the ordinance and his concern was the 20% open space requirement, in comparison to the current Planned Unit Development (PUD) 10% open space requirement. She said he felt there is not an incentive for developers to use the proposed mixed use ordinance. She said the PC will discuss whether or not changes should be made to the draft ordinance at their March 11, 2010, and hold a public hearing at their meeting scheduled on April 8, 2010. The ordinance will be submitted for Council's consideration in May, 2010.

Items submitted for record

1. Memorandum dated February 9, 2010, from Ms. Susan Connors, AICP, Director of Planning and Community Development, to Planning and Community Development Committee

DISCUSSION REGARDING THE PROPOSED INTERMODAL TRANSPORTATION HUB STUDY TO BE CONDUCTED BY THE ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS (ACOG) AND THE CENTRAL OKLAHOMA TRANSPORTATION AND PARKING AUTHORITY (COPTA).

Councilmember Butler said the Intermodal Transportation Hub Study (ITHS) is being organized by the Association of Central Oklahoma Governments (ACOG), who have partnered with the Central Oklahoma Transportation and Parking Authority (COTPA) and the City of Oklahoma City, to have a regional look where a future transit passenger rail hub should be located that will accommodate connections with other modes of transportation, to include bus, automobile, and future fixed guideway technologies. Mayor Rosenthal said the ITHS will begin in early 2010 and it was anticipated to take six to nine months to complete. She said the ITHS will qualify the region for an alternatives analysis that will allow the region to compete for federal dollars intended for a transit hub. Mayor Rosenthal said Edmond, Midwest City, Norman, Yukon, and Oklahoma City, as well as, UP (Union Pacific), Burlington Northern Santa Fe (BNSF), COTPA, Greater Oklahoma City Chamber, and OnTrak have all been requested to appoint a representative to serve on the Intermodal Transportation Hub Advisory Committee. She requested Councilmember Butler be a representative and asked Mr. Steve Lewis, City Manager, to appoint Ms. Susan Connors, Planning and Community Development Director, as an alternate representative. She said the first meeting will be held Monday, February 22, 2010, and Ms. Connors and Mr. Shawn O'Leary, Director of Public Works, will both be in attendance so that Norman will be well represented.

Items submitted for the record

1. E-mail dated February 4, 2010, from Mr. Doug Rex, Division Director, Transportation Planning and Data Services, Association of Central Oklahoma Governments (ACOG), to Mr. Steve Lewis, City Manager

MISCELLANEOUS DISCUSSION.

Councilmember Butler suggested the PCDC meet once a month rather than twice a month. She said when the PCDC began having meetings twice a month there were many pressing City issues and felt one PCDC meeting per month is sufficient. The Committee discussed and agreed PCDC meetings will be held on the second Friday of every month.

The meeting adjourned at 9:05 a.m.